

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Joacob Jon Bergh,

Case No. 15-cv-45 PJS/FLN

Plaintiff,

v.

ORDER

Mona Ross et al,

Defendant.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 17, 2015, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that

- A. Respondent Mona Ross's motion to dismiss (ECF No. 12) is **GRANTED**;
- B. Respondents Diane Alshouse and Lori Swanson's motion to dismiss (ECF No. 25) is **GRANTED**;
- C. This matter is **DISMISSED WITH PREJUDICE**.¹

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: 8/7/15

s/Patrick J. Schiltz

PATRICK J. SCHILTZ

United States District Court Judge

¹

While Respondents Carol Roberts and Andy Erickson have not responded to the Petition, the Court orderes that they are dismissed from this action given that Petitioner's claim is barred by *Stone v. Powell*.